

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

SUNTRUST MORTGAGE, INC.,

Plaintiff,

v.

Civil Action No. 3:09cv00529

AIG UNITED GUARANTY CORPORATION
a/k/a UNITED GUARANTY CORPORATION, et al.,

Defendants.

**SUNTRUST MORTGAGE, INC.'S CONTINGENT MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT**

COMES NOW, SunTrust Mortgage, Inc. ("SunTrust"), by counsel, pursuant to Federal Rule of Civil Procedure 15 and Local Rule 7, and moves the Court for leave to file an Amended Complaint in the event that the Court grants the Motion to Dismiss of Defendants in any respect. The grounds for this Motion are set forth in SunTrust's Brief in Support filed herewith.

WHEREFORE, SunTrust requests the Court grant its Motion for leave to amend its Complaint in the event the Court orders dismissal of any of the Counts in its Complaint, enter an appropriate Order allowing such leave, and provide such further relief as may be just and appropriate.

Respectfully submitted,

SUNTRUST MORTGAGE, INC.

By Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2009 a true and correct copy of the foregoing was served through CM/ECF on the following:

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